

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
UNITED STATES OF AMERICA :
:
-v.- : **FINAL ORDER OF**
:
MICHAEL ACKERMAN, : **FORFEITURE**
:
Defendant. : 20 Cr. 93 (LTS)
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WHEREAS, on or about September 8, 2021, this Court entered a Consent Preliminary Order of Forfeiture as to Specific Property/Money Judgment (D.E. 57) (the "Preliminary Order of Forfeiture"), which ordered the forfeiture to the United States of all right, title, and interest of MICHAEL ACKERMAN (the "Defendant") in, *inter alia*, the following property:

- i. 29 Kimrey Ln, Highway 12 East, Harlowton, Montana, 59085, Legal Description S24, T08 N, R13 E, Tract 3 of COS #104358 containing 154.91 acres;
- ii. 3875 East Lake Road, Sheffield, Ohio, 44054, Parcel Number 0300043101009;
- iii. \$12,224.98 seized from various cryptocurrencies held in Coinbase account 59D73BA299672503D3A27FA9, held in the name of "Michael Ackerman";
- iv. \$446,675.65 seized from various cryptocurrencies held in BitFinex account CRYPTO7Q (ID: 879959), with the registered email address of crypto7q@gmail.com;
- v. \$1,144,850 formerly on deposit in Signature Bank Suspense Account 276000004, held for the benefit of Q3 I, LP, representing monies and funds formerly on deposit in Signature Bank Account in the name of Q3 I, LP;
- vi. \$234,708.68 formerly on deposit in Signature Bank Suspense Account 276000004, held for the benefit of Q3 Holdings, LLC, representing monies and funds formerly on deposit in Signature Bank Account in the name of Q3 Holdings, LLC;

- vii. \$90,000.00 in United States currency, seized on February 11, 2020 seized from 3875 East Lake Road, Sheffield Lake, Ohio;
- viii. 2018 Ruby Red Ford Edge Titanium AWD bearing VIN Number 2FMPK4K96JBB78780, seized on February 11, 2020 from 3875 East Lake Road, Sheffield Lake, Ohio;
- ix. Tiffany & Co 1.87ct Diamond Ring with Platinum Bow Style Band, seized on February 11, 2020 seized from 3875 East Lake Road, Sheffield Lake, Ohio;
- x. BB&T Check No. 1002670349 in the amount of \$306,000.00 in United States currency, obtained on or about February 20, 2020;
- xi. BB&T Check No. 1002639864 in the amount of \$19,850.00 in United States currency, obtained on or about February 6, 2020;
- xii. BB&T Check No. 1002594586 in the amount of \$12,948.34 in United States currency, obtained on or about January 20, 2020;
- xiii. BB&T Check No. 1002945416 in the amount of \$6,215.46 in United States currency, obtained on or about July 6, 2020;
- xiv. Bank of America Check No. 1666407300 in the amount of \$2,088,924.87 in United States currency, obtained on or about on or about April 16, 2020;
- xv. Bank of America check No. 1666408385 in the amount of \$185,000, obtained on or about September 2, 2020;
- xvi. BB&T Check No. 1002945398 in the amount of \$273,269.23 in United States currency, obtained on or about July 6, 2020, representing net proceeds from the sale of 1992 Carolina Circle NE, St. Petersburg, FL 33703; and
- xvii. Valley National Bank Check No. 73910 in the amount of \$3,456,947.09 in United States Currency, obtained on or about April 5, 2021, representing net proceeds from the sale of the 1116 Miramar Drive, Delray Beach, Florida, 33483;

(i, through xvii, collectively, the “POF Property”);

WHEREAS, on or about July 22, 2022, the Court entered a Preliminary Order of Forfeiture as to Substitute Assets (D.E. 91) (the “Substitute Asset Order”) forfeiting to the United States all of the Defendant’s right, title, and interest in the following:

- i. \$217,926.18 in United States currency, formerly on deposit in Chase Bank Account 000000520600617 in the name of Michael Ackerman, which was

seized by the Government on or about January 28, 2020;
(the “Substitute Asset”) (together with the POF Property, the “Specific Property”);

WHEREAS, the Preliminary Order of Forfeiture and the Substitute Asset Order (together the “Forfeiture Orders”) directed the United States to publish, for at least thirty (30) consecutive days, notice of the Forfeiture Orders, notices of the United States’ intent to dispose of the Specific Property, and the requirement that any person asserting a legal interest in the Specific Property must file a petition with the Court in accordance with the requirements of Title 21, United States Code, Sections 853(n)(2) and (3). Pursuant to Section 853(n), the United States could, to the extent practicable, provide direct written notice to any person known to have an alleged interest in the Specific Property and as a substitute for published notice as to those persons so notified;

WHEREAS, the provisions of Title 21, United State Code, Section 853(n)(1), Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure, and Rules G(4)(a)(iv)(C) and G(5)(a)(ii) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, require publication of a notice of forfeiture and of the Government’s intent to dispose of the Specific Property before the United States can have clear title to the Specific Property;

WHEREAS, the Notice of Forfeiture and the intent of the Government to dispose of the POF Property was posted on an official government internet site (www.forfeiture.gov) beginning on October 7, 2022 for thirty (30) consecutive days, through November 5, 2022, pursuant to Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty and Maritime Claims and Asset Forfeiture Actions, and proof of such publication was filed with the Clerk of the Court January 24, 2022 (D.E. 102);

WHEREAS, the Notice of Forfeiture and intent of the Government to dispose of the Substitute Asset was posted on an official government internet site (www.forfeiture.gov)

beginning on October 6, 2022 for thirty (30) consecutive days, through November 4, 2022, pursuant to Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty and Maritime Claims and Asset Forfeiture Actions, and proof of such publication was filed with the Clerk of the Court January 24, 2022 (D.E. 103);

WHEREAS, notice of the Preliminary Order of Forfeiture was sent via certified mail to the following:

Stacey Ackerman
c/o Paul Flannery and Robert Porter
1375 East 9th Street, 30th Floor
Cleveland, OH 44114

Allison Douglas
c/o Philip Korey
700 West ST. Clair Ave, Ste 400
Cleveland, OH 44113

Linda Frederickson
330 Wooster Rd
Rocky River, OH 44116

Stacey Rae Jackson
3875 E. Lake Road
Sheffield, OH 44054

Kari Schuchard
Wheatland County Treasurer
201 A. Avenue NW
Harlowton, MT 59036

WHEREAS, on or about July 27, 2022, Notice of the Substitute Asset Order was sent by certified mail to the following:

Stacey Ackerman
c/o Paul Flannery and Robert Porter
1375 East 9th Street, 30th Floor
Cleveland, OH 44114

Allison Douglas
c/o Philip Korey
700 West St. Clair Ave, Ste 400
Cleveland, OH 44113

(collectively, with paragraph 6, the "Noticed Parties");

WHEREAS, since final publication of the Notice of Forfeiture, thirty (30) days have expired and no petitions or claims to contest the forfeiture of the Specific Property have been filed;

WHEREAS, the Defendant and the Noticed Parties are the only people and/or entities known by the Government to have a potential interest in the Specific Property; and

WHEREAS, pursuant to Title 21, United States Code, Section 853(n)(7), the United States shall have clear title to any forfeited property if no petitions for a hearing to contest the forfeiture have been filed within thirty (30) days of final publication of notice of forfeiture as set forth in Title 21, United States Code, Section 853(n)(2).

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. All right, title and interest in the Specific Property are hereby forfeited and vested in the United States of America, and shall be disposed of according to law.
2. Pursuant to Title 21, United States Code, Section 853(n)(7) the United States of America shall and is hereby deemed to have clear title to the Specific Property.

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3. The United States Customs and Border Protection (or its designee, the Office of Fines, Penalties and Forfeitures) shall take possession of the Specific Property and dispose of the same according to law, in accordance with Title 21, United States Code, Section 853(h).

Dated: New York, New York

January 25, 2023

SO ORDERED:



HONORABLE LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE